

# **Notice of Allowability**

Application No.

10/679,492

Examiner

LaTanya Bibbins

Applicant(s)

HIKIMURA ET AL.

Art Unit

2627

## **-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 09 February 2007.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### **Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

WAYNE YOUNG  
SUPERVISORY PATENT EXAMINER

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments, see the second paragraph of page 5, filed February 9, 2007, with respect to claims 1-20 have been fully considered and are persuasive. The 35 U.S.C. 102(b) rejections of claims 1-20 have been withdrawn.

### *Allowable Subject Matter*

2. Claims 1-20 are allowed.

3. **Regarding claims 1-20**, none of the references of record, alone or in combination, suggest or fairly teach a disc recording and reproducing device comprising: a resuming section which resumes, after writing of record data on a disc is interrupted, writing of the record data, which is continuous to the record data of which writing is interrupted, at an additional data region just after an end of a recorded data region that is a region of the record data already recorded on the disc; a first reproduction synchronization signal output section which **reproduces the record data recorded on the recorded data region, sequentially extracts a synchronization signal from the reproduced record data, and outputs a first reproduction synchronization signal with a frame having a predetermined length that is sequentially structured by the sequentially extracted synchronization signal**; a reliability judging section which only detects a frame having a period that is in accordance with a predetermined standard from the first reproduction synchronization signal, and outputs the frame as a reliability synchronization signal; a synchronization

signal phase retaining section which outputs, based on the frame contained in the reliability synchronization signal, a retained phase signal that retains a phase of the frame of the reliability synchronization signal; a second reproduction synchronization signal output section which reproduces the record data recorded on the additional data region, **sequentially extracts the synchronization signal from the reproduced record data, and outputs a second reproduction synchronization signal with a frame having a predetermined length that is sequentially structured by the sequentially extracted synchronization signal;** and a phase difference measuring section which measures a displacement of frames between the second reproduction synchronization signal and the retained phase signal, as a phase difference in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper.

#### ***Citation of Relevant Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Hogan (US Patent Number 6,101,158)** discloses an apparatus and method for reducing phase discontinuity between new data and previously written data on a read/write optical storage medium.

**Kuroda et al. (US Patent Number 6,269,059)** disclose a method for adding information to a recording medium that allows additional recording.

**Asono (US PGPub Number 2002/0012299)** discloses a reference mark detection circuit for an information recording medium.

**Sensyu (US Patent Number 6,201,778)** discloses an optical disk with a groove for defining serial data modulated into a signal using phase and frequency modulation.

**Kuroda et al. (US Patent Number 6,631,104)** disclose a method to allow recording a second set of information to a recording medium.

**DeCusatis et al. (US Patent Number 6,128,262)** discloses a method for customizing a recording medium with timing information.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaTanya Bibbins whose telephone number is (571) 270-1125. The examiner can normally be reached on Monday through Friday 7:30 am - 5:00 pm.

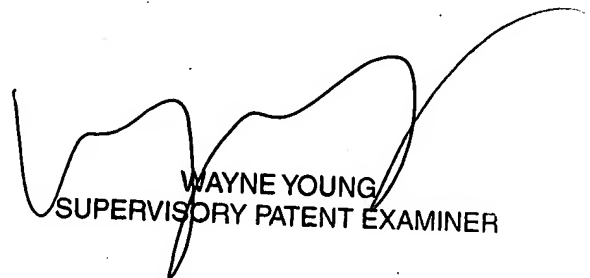
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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SUPERVISORY PATENT EXAMINER